

66202 U.S. PTO



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 66568 U.S. PTO  
 08/846405  
 04/30/97

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

#2129

## REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. § 1.60

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
P106-CON.2	CLASS 623	SUBCLASS 1	Debra S. Brittingham	3308

Dear Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.60, of pending prior application Serial Number 08/619,014, filed on March 20, 1996, entitled **ENDOVASCULAR SUPPORT DEVICE AND METHOD**.

- Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application Serial Number 07/398,180, and further that all statements made herein of my own knowledge are true; and further that these statements were made of with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
- The filing fee is calculated as follows:

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16c))	3 - 20 =	0	x \$22 =	\$
	INDEPENDENT CLAIMS (37 CFR 1.16(B ))	2 - 3 =	0	x \$80 =	
	MULTIPLE DEPENDENT CLAIMS (if applicable (37 CFR 1.16(d)))			+ x \$260 =	
				BASIC FEE (37 CFR 1.16(a))	+ 770
				Total of above Calculations =	
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
				TOTAL =	\$770

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3. ☐ A verified statement to establish small entity status under 37 C.F.R 1.9 and 1.27  
☐ is enclosed.  
☐ was filed in prior application Serial Number \_\_\_\_/\_\_\_\_ and such status is still proper and desired (37 C.F.R 1.28(a)).

4. ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R 1.16 and 1.17, or credit any overpayment to Deposit Account No. 01-2525. A duplicate copy of this sheet is enclosed.

5. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.

6. ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).

7. ☒ The inventor(s) of the invention being claimed in this application is (are):

Michael D. BONEAU

8. ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

9. ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☒ continuation ☐ division of application Serial Number 08/619,014, filed March 20, 1996, which is a continuation of application Serial Number 08/471,738, filed June 6, 1995, which is a division of application Serial Number 08/172,420, filed December 22, 1993, now abandoned, which is a division of application Serial Number 07/398,180, filed August 24, 1989, now U.S. Patent Number 5,292,331."

10. ☒ New ☒ formal ☐ informal drawings are enclosed.

11. ☐ Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119(a) - (d). The certified copy has been filed in prior application number \_\_\_\_/\_\_\_\_, filed \_\_\_\_\_.

12. ☒ A preliminary amendment is enclosed.

13. ☒ The prior application Serial Number 08/619,014 is assigned of record to:

ARTERIAL VASCULAR ENGINEERING, INC.

14. ☐ Also enclosed:

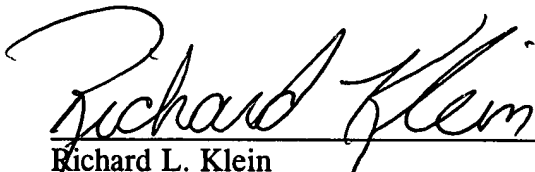
15. ☒ The power of attorney in the prior application is to:

Robert R. Jackson,	Reg. No. 26,183
Nicola A. Pisano,	Reg. No. 34,408
K. Iain McAusland,	Reg. No. 37,980
Michael J. DeHaemer, Jr.,	Reg. No. 39,164

- a. ☐ The power of attorney appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Since the undersigned's power does not appear in the original papers, a copy of the undersigned's power in the prior application is enclosed.
- d. ☒ Address all future correspondence to:

Richard L. Klein  
Arterial Vascular Engineering  
3576 Unocal Place  
Santa Rosa, California 95403  
Tel.: (707) 522-2250  
Fax: (707) 522-1820

Respectfully submitted,

  
Richard L. Klein  
Registration No. 33,330

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"Express Mail" mailing label number EH290483945US

I hereby certify that this Application for Letters Patent, transmittal letter and all other papers identified in this transmittal letter, are addressed to Box PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231, and are being deposited with

the United States Postal Service "Express Mail Post Office to Addressee" service under 37  
C.F.R. § 1.10, on

APRIL 30, 1997  
Date of Deposit

Richard L. Klein  
Richard L. Klein

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